



**U.S. House of Representatives
Louisiana Congressional Members**

**Conference Call with Kenneth Feinberg
Delays in Emergency Assistance & Protocol for Final Settlements**

Thursday, September 30, 2010

On Thursday, September 30, 2010, Congressman Anh “Joseph” Cao hosted a conference call with Kenneth Feinberg, independent administrator of the Gulf Coast Claims Facility, along with Congressman Steve Scalise and Congressman Charlie Melancon, to discuss the delays in emergency assistance and protocol for final claims settlements.

BACKGROUND

A \$20 Billion Escrow Account was established by British Petroleum on June 16, 2010, in response to the thousands of individuals and businesses who demand reimbursement for the financial damage caused by the April 20, 2010 Deepwater Horizon oil spill. BP will contribute \$5 billion annually into the escrow account over a period of four years, beginning in 2010. According to BP, the account is neither a floor nor a ceiling on liability; more funds will be provided if needed. According to President Obama, the escrow account’s “mandate [is] to be fairer, faster, and more transparent in paying damage claims by individuals and businesses.”¹

On August 23, 2010, the Gulf Coast Claims Facility, administered by Kenneth Feinberg, took over operation of BP Claims Centers throughout the Gulf Coast.

RECOMMENDATIONS & TOPICS OF DISCUSSION

A. Accurate and Consistent Information

- 1) Ensure accurate information is received and processed during claimant intake. Multiple reports of inaccurate intake causing delays in emergency assistance were received. For example, social security or tax ID numbers being switched with vessel registration numbers or expenses being mistaken as income.
- 2) Provide a customer service call line for claimants to follow-up filed claims. Such customer service entity would reduce confusion and anxiety. Currently, community members are calling in and being transferred from staff person to staff person without any consistent follow-up.
- 3) GCCF should provide copies of all claim documents to claimants. Currently, claimants are not given copies of their 18 page claims intake form.

¹ *The White House*: Claims and Escrow Fact Sheet—<http://www.whitehouse.gov/the-press-office/fact-sheet-claims-and-escrow>.

B. Determining Amounts and Calculation

- 1) Provide clear explanation of how GCCF determined emergency assistance amounts and settlement amounts. Providing emergency assistance is a step towards relieving the financial burden affected individuals and businesses currently face. Likewise, claimants understanding their compensation will lead to ensuring they were compensated fairly. Currently, there is neither GCCF staff set aside to explain how this determination was reached nor an explanation provided of how their supporting documents were used to reach this determination. The GCCF is encouraged to incorporate Secretary Mabus' recovery plan by informing community members of resources such as financial counseling, access to federal relief aid, and tax guidance².
- 2) Assign specific GCCF employees as "community relations specialists". These individuals would be team leaders and take on particularly tricky claimant cases. Providing a manager's name and/or direct number makes it more personal.
- 3) Ensure staff can explain the process if someone feels as though the amount of emergency assistance was unfair, it is important to have someone explain the process that led to the amount they received.

C. Townhalls

- 1) Increase participation in townhall meetings, including those for non-native English speakers. There needs to be a level of professional interpreting, and not inserting opinion into the translation, to ensure quality of communicating information.

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² "America's Gulf Coast: A Long Term Recovery Plan after the Deepwater Horizon Oil Spill" - <http://www.restorethegulf.gov/sites/default/files/documents/pdf/gulf-recovery-sep-2010.pdf>